Mr. P. V. Subramania Ayyar.—It was sanctioned on the 4th March.

Mr. P. Kumaran Ezhuthassan.—Was it prior to the last meeting of the Standing Finance Committee?

Mr. P. V. Subramania Ayyar.—No. After the standing Finance Committee meeting.

Mr. P. Kumaran Ezhuthassan.—Is this not an item which could have waited till this meeting is over?

President.—I do not think you can discuss it in this way.

Mr. P. Kumaran Ezhuthassan.—We should like to know the urgency of this expenditure.

President.—Under Rule 52 you cannot go so far.

Mr. P. Kumaran Ezhuthassan.—Under Rule 16 (9) expenditure for a very urgent necessity only can be included in this Statement. We should like to know what the urgency was. Could you not have waited till the meeting is over?

President.—We are practically discussing the urgency then, which is not allowed under the Rules. I am sorry I can't allow it. We must take it to be urgent.

Mr. P. Kumaran Ezhuthassan.—The order was passed on the 4th of March. That is only a few days back. I should like to know whether that is not objectionable. Where was the urgency in spending that amount? That is a point the House is entitled to know.

President.—Entitled to know, but not in this form.

Mr. P. Kumaran Ezhuthassan.—Rule 52 says that it shall not be discussed. We only want to know what was the urgency, by way of information.

President.—I am sorry I can't allow it.

Supplementary Grants.

1—Land Revenue—D. Contingencies—L. Law Charges—Rs. 1,500.

Mr. K. Achyuta Menon.—Sir, I rise to move for a supplementary grant of Rs. 1,500 under 1—Land Revenue—D. Contingencies—L. Law Charges. The allotment under 'Law Charges' (Land Revenue) is only Rs. 1,000 and the whole of this amount has already been spent. A large number of suits for the recovery of arrears of British Water cess and pattom

LIBRARY ARCHIVES Kerala Legislative Assembly

and michavarom in respect of Sirkar lands in British Malabar and the Oodupully lands in Travancore are pending in the British and Travancore Courts. A few decrees are also pending execution. Besides it has also become necessary to file some more suits against certain refractory tenants. An additional allotment of Rs. 1,500 has therefore become necessary. I request the House may be pleased to sanction the allotment.

Motion No. 1.

To reduce the allotment by Re. 1 (The desirability of a more humane policy in respect of suits for revenue recovery).

Mr. Joseph Pettah.—Though this allotment is wanted in respect of suits for revenue recovery, the majority of cases do not imply a suit and the Government can take action even without a suit. The purpose of my cut motion is to bring to the notice of this House and the notice of the Government in particular, that a more humane policy is required in respect of revenue recovery. I should in this connection congratulate the Revenue Department for the efficiency manifested in the matter of recovering revenue. Revenue recovery is almost complete. We do not find any instance of large number of cases of arrears. Therefore it means that the revenue recovery is almost complete and the Department has to be congratulated for the great efficiency manifested by them. But we must understand that this revenue recovery is done by the Village Officers by using—to put it very mildly—all kinds of measures and using their skill to the utmost by holding out threats and intimidation and all sorts of other ways. The pity of it is that this efficiency is turned into an argument against any plea for a humane treatment of the cultivators of the State. When the Hon'ble Members on this side of the House press for any relief to be given to the cultivators in the matter of revenue recovery, there is the argument put forward that the people do not feel any distress and there is no necessity to give any remission or any relief. They have paid up the revenues without any arrears and that is a fact of their ability to pay. This ability to pay is put forward as an argument against granting them any relief. That I say is a great pity, the efficiency of the department and the willingness of the people should be turned into an argument against the poor people, against giving them any relief. The way in which this revenue recovery is expedited may perhaps be made clear if reference is made to an order of one of the Tahsildars on which I came across the other day, where after referring to a certain case of arrears during the last month a

LIBRARY ARCHIVES Kerala Legislative Assembly

severe injunction is given to the village officer that unless by next month all arrears are not cleared up and better recovery is not shown, "കൂടുതൽ സാമർത്ഥ്യമുള്ള പാർവ്വത്യകാരന്മാരെ നിയമിച്ചു സംഗതികൾ നടത്തുമെന്ന് അറിഞ്ഞുകൊള്ളേണ്ടതാകുന്നു." That is the way in which a threat is held out by the Tahsildar to the Parvathiakaran and you can naturally expect what sort of threats these officers will be holding out in their turn to the poor cultivators in the matter of recovering revenue. It is for that reason that we find that there is more or less complete collection of the land revenue in our State. One thing is sure that because of the depression the poor cultivators of the State must have found it almost impossible to pay up the land revenue, and yet if there are no appreciable arrears it is due to the very rigorous measures that are adopted by the Department for the recovery of this land revenue. My humble suggestion is that in this matter a more humane policy be adopted even at the risk of having a certain percentage of arrears during these years of depression. My point is this that there must be a few cases where there would be sheer inability to pay land revenue and even in such cases we find that the revenue is collected and there are no appreciable percentage of arrears; whereas in the Sister State of Travancore and British Malabar, you will find a larger percentage of arrears. When these arrears accumulate that formed a very good argument for remission of land revenue.

Mr. A. Sankara Poduval.—What concrete measures do you propose?

Mr. Joseph Pettah.—Government should be a little more lenient in taking action against the defaulters. That is a definite procedure. In proceeding against defaulters in the matter of attachment of moveables etc. a little more time, a little more kindness must be shown to the cultivator. That is the only thing that I recommend to the Department. It is only to bring this fact to the notice of the Department that I tabled this motion.

Mr. K. Achyuta Menon.—Sir, it will not be proper for me to contradict the position that kindness ought to be shown to persons who have to pay revenue. The only point is this, we deny that we are cruel to them. We maintain that we err on the side of kindness. Abundant facilities are given to those who want to pay. But to those who do not want to pay, no facilities are given or can be given. Even my Hon'ble friend will admit that this forms one of the main sources of revenue and that prompt collection is the essence of the thing. if we

LIBRARY ARCHIVES Kerala Legislative Assembly

are to find money forthe spending departments. The collection department is bound to be unpopular. No creditor is popular with the debtor. But if my Hon'ble friend will look into the Land Revenue Manual he will find ample facilities given to the cultivators to pay up the land revenue. In the first place, it is generally on the 10th of the month or thereabouts that the revenue has to be paid. It is seldom that they do pay on the 10th. The Parvathikarans wait till the 30th. Instances are not wanting where the good Samaritans give the dues from their own pockets and close up their arrears for fear of action being taken against them for the arrears. At any rate the complaint that the Pattadars are being heavily pressed is not often carried to the Head of the Department. It is no doubt true that stringent instructions are given to the subordinates. That is because, if once you are lax in the matter of collection, even people who can afford to pay will take advantage of this depression. The net result will be a general dislocation of the collection of land revenue. The Hon'ble Member also forgets that the Government has granted an initial reduction of 12½ per cent due to the depression and the inability of the Pattadar generally to pay the normal land revenue. Government have also taken measures of relief such as the total remission of the tax payable in respect of crops which failed as the last issue of the Gazette will testify. It is seldom we resort to sale of moveables and attach the properties. If statistics of sales and other coercive measures are taken of this State and of those outside, it will be seen that we are more humane than what the Hon'ble Member says. We do not lose by comparision with other States. There are what are called the requirements of efficiency and the requirements of prompt collection. Leaving these arrears uncollected for the year results, in my own experience, in nothing but disadvantage to the pattadar. If anything he has to pay interest on the arrears. If anybody profits by a little pressure it is the pattadar himself, because he has not to pay six per cent interest which follows if the arrears are left in arrears.

Mr. Joseph Pattah.—On a point of information, Sir will the Hon'ble Member be in a position to say what percentage of arrears of collection there was for the year 1109?

Mr. K. Achyuta Menon.—The percentage was very slight I think 99 percent was collected. Practically the whole demand was made up. There were very few sales last year. Threatened attachments there are many. Our pattadars, it must be said to their credit, the moment they are threatened, are in the

LIBRARY ARCHIVES Kerala Legislative Assembly

habit of paying up their dues. It is not because of the cruelty of the Government, but because of their readiness to pay.

Mr. Joseph Pettah.—What was the percentage of collection in 1108?

Mr. K. Achyuta Menon.— About the same.

Mr. Joseph Pettah.—Are the Government in a position to say what the percentage of collection in Travancore is?

Mr. K. Achyuta Menon.—I do not know. I want notice.

Mr. Joseph Pettah.—Are the Government aware that the percentage of collection is much lower?

Mr. K. Achyuta Menon.—I have no information.

Mr. Joseph Pettah.—Is it the opinion of the Government that no coercive measures are taken?.

Mr. K. Achyuta Menon.—Coercive measures have never increased during the depression years. The number of actual coercive measures brought to a finish are very rare. They are published in the Gazette. Sometimes they are brought to sale. But sales do take place very seldom. Cases where properties are sold and are lost to the pattadar are very few.

Mr. Joseph Pettah.—Is it the position of the Government that cultivators in Cochin are in a better economic condition than the cultivators in Travancore?

Mr. K. Achyuta Menon.—I have not made any comparison. The increased collections here may probably be due to the larger remissions we have given.

Mr. Joseph Pettah.—They have given 25 per cent remission.

Mr. K. Achyuta Menon.—I deny it. Only on certain lands they have given 25 per cent remission. We have given 12½ per cent general remission supplemented by generous relief measures. Even the second crop assessment for this year has for once been remitted and you can see it in the Gazette. That will I suppose satisfy my Hon'ble friend.

മിസ്റ്റർ കെ. എം. ഇബ്രാഹിം.— സർ, നികുതിയിളവു ബാക്കിയെ സംബന്ധിച്ചുള്ള കോടതി നടപടികൾ വളരെ ചുരുക്കമാണെങ്കിലും ഈ ഉപക്ഷേപത്തിലെ തത്വം ഗവൺമെൻറു സ്വീകരിച്ചിട്ടുണ്ടെന്നു കാണുന്നതിൽ ഞാൻ അനുമോദിയ്ക്കുന്നു. ബഹുമാനപ്പെട്ട റവന്യൂ മെമ്പർ ചെയ്ത പ്രസംഗത്തിലെ ഒരു ഭാഗത്തെക്കുറിച്ചു് ഒരു വാക്കു പറയാം. ഭൂനികുതി മാത്രമല്ല മറ്റുള്ള നികുതി ബാക്കികൾ കൂടിയും കൊടുക്കാത്തതു് അവരുടെ മനഃപൂർവ്വംകൊണ്ടാണെന്നു് അതിനു ധനിയ്ക്കുന്നതക്കവിധത്തിൽ. . . . .

LIBRARY ARCHIVES Kerala Legislative Assembly

Mr. K. Achyuta Menon.—I said there is danger if you relax it. People who can afford to pay can take advantage of this depression. They will claim that they are unable to pay.

മിസ്റ്റർ കെ. എം. ഇബ്രാഹിം.— ഇപ്പോൾ കൊടുക്കാതിരിയ്ക്കുന്ന ആളുകൾ അധികവും അവരുടെ മനഃപൂർവ്വംകൊണ്ടു കൊടുക്കാത്തവരാണെന്നുള്ള വാദമല്ല. ഈവക സംഗതികളുടെ പ്രാധാന്യതയെ ഗവൺമെൻറു മനസ്സിലാക്കിക്കാണുന്നതിൽ സന്തോഷമുണ്ട്. ഇടയ്ക്കു 12½ യോ, മറേറാ നിലനികുതിയിൽ കുറവുചെയ്തതിനെപറ്റി ഇവിടെ പറഞ്ഞു. താഴ്ന്നതരം ആളുകൾക്ക് ഈ നിസ്സാരമായ 12-½0 18¾-0 നികുതിയിളവുചെയ്തു കൊടുത്തിട്ടുണ്ടെങ്കിലും ഉല്പന്നങ്ങളുടേയും മറും വിലക്കുറവുമൂലം ഈ ക്ഷാമകാലത്തു തീരെ നികുതി ഇളവുചെയ്തു കൊടുക്കാനുള്ള ആളുകളിൽ ഒരു വലിയ വിഭാഗക്കാർ ക്രൂടിയും ഇന്നു നികുതി കൊടുത്തുവരുന്നുണ്ട്.

പ്രധാനമായി ഒരേക്കറും അതിൽ കുറവുമുള്ള ഭൂമികൾ കൈവശം വച്ചുകൊണ്ടിരിയ്ക്കുന്നകർഷകന്മാരുടെ കാര്യത്തിലെങ്കിലും തീരെ നികുതി വിട്ടുകൊടുക്കുവാൻ ഗവൺമെൻറു് ഒരുങ്ങണമെന്നാണു് ഞാൻ പറയുന്നതു്. അവരുടെ നികുതിയുടെ ഇരുപത്തഞ്ചോ 12½യോ 18¾ലോ ശതമാനം മാത്രം വിട്ടുകൊടുക്കുന്നതുകൊണ്ടു പ്രയോജനമില്ല. ഇവർ മറ്റുള്ളവരേക്കാൾ എത്രയോ കഷ്ടമായ നിലയിൽ കഴിഞ്ഞുകൂടുന്നവരാണെന്നുള്ള സംഗതി ഗവൺമെൻറിന്റെ ഓർമ്മയിൽ ഇരിയ്ക്കണമെന്നു മാത്രം ഞാൻ ആവശ്യപ്പെടുന്നു.

Mr. K. Achyuta Menon.—Mr. President, Sir. I wish to add one word more. My grant was with respect to the law charges in connection with suits for the recovery of arrears of land Revenue. Unfortunately it is because of the absence of this Revenue Recovery Regulation that advantage was taken by the Travancore tenants. The grant relates only to that. Incidentally we will be travelling outside the purview of the grant if we reduce one rupee from it. These tenants have taken advantage of the absence of the Regulation so that these suits for which the money is wanted are absolutely necessary.

Mr. Joseph Pettah.—Sir, I am very glad to hear from the Hon'ble Member for Revenue that at least on the third occasion Government have been pleased to accept the request of the Hon'ble Members to remit the second crop assessment. But while I am very glad to congratulate them on that, I should like to point out one thing. He spoke of two classes of cultivators. But he omitted purposely a third class. He spoke of people who want to pay and who do not want to pay. But there is a third class of people who are unable to pay. He

LIBRARY ARCHIVES Kerala Legislative Assembly

said that to those who are willing to pay facilities are given and rigorous measures are taken against those who do not want to pay. But what about the case of people who are unable to pay? This is the point that the Hon'ble Member for Cranganur wanted to bring to the notice of the House. Now taking the figures for 1109, there is 99 per cent of recovery here. I am sure it is much less in Travancore. I suppose the economic condition of the people of Cochin State is no better than the economic condition of the people in Travancore and British Malabar. There must be something which accounts for this completeness of collection here, given that the economic conditions are more or less the same. About the incidence of land revenue taxation it is lower in Travancore than here in Cochin.

Mr. K. Achyuta Menon.—It is not so. They have got many other imposts.

Mr. Joseph Pettah.—If there are imposts they are only in the case of cocoanut gardens, but not in the case of paddy fields, surely they are much better than the ryots in Cochin. In spite of that, if there can be so much of arrears there, and so little here, something is wanted to explain the completeness of the collections here. That I say is due to the very rigorous methods adopted by the Government in the collection of land revenue. So I hope the Government will recognise this third class of cultivators and show some kindness towards them. I do not think the whole revenue recovery process is going to be disorganized and Government's income is going to disappear if some little kindness is shown to them. Some consideration is very necessary towards the poor cultivators. As far as the land revenue collection is concerned, I do not find any consideration at all. That is a fact which speaks for itself. As I said it is simply idle to suppose that all the people pay because they are able to pay. The very readiness of our people to pay rather than to make the Government proceed to sell their properties is due to two facts. One is that our people here has got a prestige or some such thing that even though they have got to borrow at a highly usurious rate and even if they have to pledge their jewels and such other things, they do all that in order to pay the land revenue. The payment of land revenue if considered to be a thing which affects the honour of the people. A man who has not paid his land revenue is considered an insolvent in the eyes of the general public. Therefore it is at a very serious sacrifice that very many people pay the land revenue. This is a fact which the Government should realise

LIBRARY ARCHIVES Kerala Legislative Assembly

and should show a little more sympathy towards the third class people who are notin a position to pay. Against those who can and are in a position to pay severe measures may be taken. Against those who are not in a position to pay a little more sympathy is necessary. Having brought all these facts before the House and leaving it to the good sense of the Government, I request the leave of the House to withdraw my cut motion.

Motion was, with leave, withdrawn

Demand put and carried.

2. 10—Forests—Purchase of 10 ton Travelling Crane—Rs. 5,044.

Mr. T. Narayana Menon.—Sir, I rise to move for a supplementary grant of Rs. 5,044 under 10 Forests for the purchase of a 10 ton travelling crane. The necessity for the present demand hasbeen fully explained in the notes circulated for the Standing Finance Committee and therefore I do not think any speech from me is necessary. I request that the House may be pleased to grant the supplementary grant now asked for.

Demand put and carried.

3. 10—Forests—Rs. 21,475.

Mr. T. Narayana Menon.—I rise to move for a supplementary grant of Rs. 21,475 under '10-Forests'. The necessity for the grant has been fully explained in the Note to Standing Finance Committeecirculated among the Hon'ble Members.

Motion No. 2.

To reduce the allotment by Rs. 10. (The necessity of a more far-sighted and profitable Administration of the State Forests.)

Mr. Joseph Pattah.—Sir, the purpose of my cut-motion is to suggest to the Government the adoption of a more far-sighted and profitable administration of the State Forests. I don't mean to say that the present administration is all bad, but my purpose is only to suggest a few more directions in which if attention is given, the administration of the forests would be more profitable to the State. Now before proceeding with any speech on this motion, I should like to know from the Government whatthey are doing at present in respect of the

LIBRARY ARCHIVES Kerala Legislative Assembly